

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,167	08/19/2003	Martinus Hendricus Hendricus Hoeks	081468-0305463	3594
909 75	590 05/18/2005		EXAMINER	
PILLSBURY WINTHROP SHAW PITTMAN, LLP P.O. BOX 10500			NGUYEN, HUNG	
MCLEAN, VA 22102			ART UNIT	PAPER NUMBER
			2851	
			DATE MAILED: 05/18/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	- Gr		
Advisory Action	10/643,167	HOEKS ET AL.			
Before the Filing of an Appeal Brief	Examiner	Art Unit	<u> </u>		
	Hung Henry V. Nguyen	2851			
The MAILING DATE of this communication appe	ars on the cover sheet with the c	correspondence add	ress		
THE REPLY FILED 04 May 2005 FAILS TO PLACE THIS APP		•			
 The reply was filed after a final rejection, but prior to or o this application, applicant must timely file one of the folloplaces the application in condition for allowance; (2) a No (3) a Request for Continued Examination (RCE) in comp following time periods: 	n the same day as filing a Notice of wing replies: (1) an amendment, a otice of Appeal (with appeal fee) in liance with 37 CFR 1.114. The repl	f Appeal. To avoid at ffidavit, or other evide compliance with 37 (ence, which CFR 41.31; or		
a) The period for reply expires <u>3</u> months from the mailing date of b) The period for reply expires on: (1) the mailing date of this Adv		e final rejection, whicheve	er is later. In no		
event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO					
MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).				
Extensions of time may be obtained under 37 CFR 1.136(a). The date on been filed is the date for purposes of determining the period of extension a CFR 1.17(a) is calculated from: (1) the expiration date of the shortened sta above, if checked. Any reply received by the Office later than three month earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL	and the correspondin ['] g amount of the fee. atutory period for reply originally set in the	The appropriate extension final Office action; or (2)	on fee under 37 as set forth in (b)		
2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).					
AMENDMENTS					
3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below);					
(c) They are not deemed to place the application in being appeal; and/or		educing or simplifying	the issues for		
(d) They present additional claims without canceling a	· · · · · · · · · · · · · · · · · · ·	jected claims.			
NOTE: (See 37 CFR 1.116 and 41.33(a)). 4. The amendments are not in compliance with 37 CFR 1.1		ompliant Amendment	(PTOL-324)		
5. Applicant's reply has overcome the following rejection(s):					
6. Newly proposed or amended claim(s) would be a the non-allowable claim(s).	llowable if submitted in a separate	, timely filed amendm	ent canceling		
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows: Claim(s) allowed:		ill be entered and an	explanation of		
Claim(s) objected to: <u>30-39</u> . Claim(s) rejected: <u>1-12 and 40</u> . Claim(s) withdrawn from consideration:					
AFFIDAVIT OR OTHER EVIDENCE					
 The affidavit or other evidence filed after a final action, be because applicant failed to provide a showing of good an and was not earlier presented. See 37 CFR 1.116(e). 					
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to a showing a good and sufficient reasons why it is necessar	overcome <u>all</u> rejections under appery and was not earlier presented. S	al and/or appellant fa See 37 CFR 41.33(d)(nils to provide a (1).		
10. The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER	on of the status of the claims after e	entry is below or attac	hed.		
11. The request for reconsideration has been considered bu See Continuation Sheet.	ut does NOT place the application i	n condition for allowa	ince because:		

U.S. Patent and Trademark Office

13. Other: ____

12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).

Hung Henry V Nguyen Primary Examiner

'Art Unit: 2851

Application No.

Continuation of 11. does NOT place the application in condition for allowance because: In view of applicant's remark filed 5/4/05, the rejection of claim 40 under 35 U.S.C. 112, second paragraph is withdrawn. With respect to the prior art rejection of claims 1-12 and 40 under 35 U.S.C. 103(a), applicant's arguments have been carefully reviewed but they are not found persuasive. In response to applicant's piecemeal analysis of the references, it has been held that one can not show nonobviousness by attacking references individually where the rejections are based on combinations of references. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Therefore, the Examiner respectfully disagrees with the applicant's argument that the applied references do not arrive at the claimed invention. The combination of the references meet all of the limitations of the present invention as claimed. Since the rejection here is made under 35 U.S.C. 103(a). The issue here is whether one of having ordinary skill in the art, in the possession of Tamagawa et al, would employ the conductive layer having a specified resistivity less than 10 Ohm.m, as taught by Logan, on the surface of plurality of pins in contact with the object of Tamagawa for the purpose of improving the clamping force. As noted in the presecution of this case, it would have been obvious to a skilled artisan to combine the teachings of Tamagawa and Logan to come up with the invention as claimed. The person having ordinary skill in the art is usually a graduate engineer, the Examiner fails to find the applicant's argument convincing that the claimed invention would have been unobvious to such a person. Furthermore, it has been held that where the general conditions of a claims are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105, 105 USPQ 233